UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,728	07/24/2003	Lila Madour	P17163US2	8051

7590 05/14/2007

ALEX NICOLAESCU
Ericsson Canada Inc.
Patent Department
8400 Decarie Blvd.
Montreal, QC H4P 2N2
CANADA

EXAMINER	
CHERY, DADY	

ART UNIT	PAPER NUMBER
2616	

MAIL DATE	DELIVERY MODE
05/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/625,728	MADOUR ET AL.	
	Examiner	Art Unit	
	Dady Chery	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07/24/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1- 26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/14/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims1, 10 and 18 are rejected under 35 U.S.C. 102(a) as being anticipated by (3GPP Technical Specification 29.207 Version 5.0.0 Release 5, hereinafter ETSI).

Regarding claims 1,10,18, ETSI discloses a method for provisioning a Gateway GPRS Support Node (GGSN) with a gate described by a set of packet classifiers (packet filter) for mapping one or more incoming data flows destined to a terminal to one or more service instances established between the GGSN and the terminal (Page 11, Fig. 4.2), the method comprising the steps of:

a) creating the packet filter (Gate function) in a PCF which is a logical entity of the Proxy-Call State Control Function (P-CSCF) (See Page 10, 4.2);

b) transmitting the packet filter from the P-CSCF to the GGSN; The packet filter is transmit from the PCF to the GGSN .

c) installing the packet filter in the GGSN. (See Page 13, 4.3.1.3, Gate function).

The GGSN has the same function in W-CDMA as a PDSN (Packet Data Serving Node) in CDMA2000

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 2-9,11-17and 19 -26 are rejected under 35 U.S.C. 103(a) as being unpatentable over (3GPP Technical Specification 29.207 Version 5.0.0 Release 5, hereinafter ETSI) in the view of Hsu at al. (US Application 2004/0008632).

Regarding claims 2, 11 and 19, ETSI discloses all the limitation of claim 2 except the step of: d) *using the packet filter, mapping by the PDAN the one or more data flows originated by a Corresponding Node (CN) in communication over a packet data session with the terminal onto the one or more service instances*

However, Hsu teaches the step of *using the packet filter, mapping by the PDAN the one or more data flows originated by a Corresponding Node (CN) in communication over a packet data session with the terminal onto the one or more service instances* (Page 1 [0018] – Page 2 [0019]).

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the packet filter over a packet data session with the terminal for the purpose of processing flows in a communication system (Abstract).

Regarding claims 3, 11 and 20,ETSI discloses all the limitation of claim 3 except the step of establishing the packet data session between the CN and the terminal; wherein the packet filter is associated to the packet data session.

However, Hsu teaches a method to establish a SO/A10 packet data session between the CN and the MS (Fig. 2). Where each packet flow is mapped according their parameters (packet filter) (Page 1 – page 2 [0018]).

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to establish a packet data session between the CN and the terminal for flow mapping and treatment of each packet flow (Page 2, [0019]).

Regarding claims 4, 12 and 21, ETSI discloses all the limitation of claim 4 except *the step e) is performed using Session Initiation Protocol (SIP), and the P-CSCF comprises a Proxy SIP (PSIP) server.*

However, Hsu teaches the step e) is performed using Session Initiation Protocol (SIP) (Fig. 3), and the P-CSCF comprises a Proxy SIP (PSIP) server (Page 4, [0060]).

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Proxy SIP server to help route requests to the user's current location, authentication and authorize users for services (Page 4, [0060]).

Regarding claims 5, 13 and 22, ETSI discloses *the step a) comprises the step of: a.1) in the P-CSCF, using information related to the:*

an IP address of the CN;

one or more CN port numbers used for carrying out the data session;

a type associates with each of the one or more data flows;

and the one or more service instances;

for creating the packet filter (Page 13, 4.3.1.3). The packet classifier includes the standard 5-tuple (source and destination IP address, source and destination port, protocol) explicitly describing a unidirectional IP flow. That is the same function as described by the instant application.

Regarding claims 6, 14 and 23, ETSI discloses the P-CSCF receives the information for creating the packet filter during the packet data session setup (Page 13, 4.3.1.3). The PCF creates the packet filter during a packet data session setup between UE and the P-CSCF.

Regarding claim 7, 15 and 24, ETSI discloses all the limitation of claim 7 except *the PDAN is a Packet Data Service Node (PDSN) of a CDMA2000 wireless network, and the terminal is a Mobile Station (MS).*

However, Hsu teaches a Packet Data Service Node (PDSN) of a CDMA2000 wireless network, and the terminal is a Mobile Station (MS) (Fig. 2 and page 4, [0065]).

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to a CDMA2000 wireless network for mapping the packet based on the quality of service associated with packet flow (Abstract).

Regarding claims 8, 16 and 25, ETSI discloses *the steps of: f) during the packet data session, creating a new packet filter in the P-CSCF; g) transmitting the new packet filter from the P-CSCF to the PDAN; and h) installing the new packet filter in the PDAN*

(Page 13, 4.3.1.3). ETSI discloses the gate lead to the enabling of the passage for the IP packets that imply different session and during each new session a new filter is created in PCF and installed by the GGSN.

Regarding claims 9, 17 and 26, ETSI discloses *the steps of: f) terminating the packet data session; and g) uninstalling the packet filter from the PDAN* (Page 15, 4.3.2.3). Where the remove decision is considered as terminating the session and uninstalls the packet data filter from the PDAN.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dady Chery whose telephone number is 571-270-1207. The examiner can normally be reached on Monday - Thursday 8 am - 4 pm ESt.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHERY Dody 05/02/07
***

RICKY Q. NGO
SUPERVISORY PATENT EXAMINER